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INTERGOVERNMENTAL NEGOTIATING COMMITTEE
FOR A FRAMEWORK CONVENTION ON CLIMATE
CHANGE
Fifth session, First part
New York, 18-28 February 1992

DRAFT REPORT OF THE INTERGOVERNMENTAL NEGOTIATING COMMITTEE FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE ON THE WORK OF THE FIRST PART OF ITS FIFTH SESSION, HELD AT NEW YORK FROM 18 TO 28 FEBRUARY 1992

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I. INTRODUCTION

1. The first part of the fifth session 1/ of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change was held in New York from 18 to 28 February 1992. The meeting was convened in pursuance of General Assembly resolutions 45/212 of 21 December 1990 and 46/169 of 19 December 1991, entitled "Protection of global climate for present and future generations of mankind", further to resolutions 43/53 of 6 December 1988 and 44/207 of 22 December 1989.*

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* For the reports of the first to fourth sessions, see A/AC.237/6 and Corr.1, A/AC.237/9 and A/AC.237/12 and Corr.1, and A/AC.237/15 and Corr.1. The Bureau of the Committee elected at the first session consists of:

Chairman: Mr. Jean Ripert (France)

Vice-Chairmen: Mr. Chandrashekhar Dasgupta (India)
Mr. Ahmed Djoghlaf (Algeria)
Mr. Ion Draghici (Romania)
Mr. Raul Estrada-Oyuela (Argentina)

Rapporteur: Mr. Ion Draghici (Romania)

The Bureaux of Working Groups I and II elected at the second session consist of:

Working Group I

Co-Chairmen: Mr. Nobutoshi Akao (Japan)
Mr. Edmundo de Alba-Alcaraz (Mexico)

Vice-Chairman: Mr. Mohamed Mahmoud Ould El Ghaouth (Mauritania)

Working Group II

Co-Chairmen: Ms. Elizabeth Dowdeswell (Canada)
Mr. Robert F. Van Lierop (Vanuatu)

Vice-Chairman: Mr. Maciej Sadowski (Poland)

1/ The second part of the fifth session (or resumed fifth session) will be held ( ).

II. ORGANIZATIONAL MATTERS

A. Opening of the session

2. In opening the fifth session, the Chairman, Mr. Jean Ripert, stressed the short time remaining and the need to instil greater urgency and focus in the negotiating process. He underlined the complexity of the task, the high stakes involved and the need for political vision. He suggested that a framework convention should be neither too general nor too detailed. He noted the key issues facing the Committee and, in particular, commitments of developed countries on emissions and sinks; commitments of all countries to adopt national strategies and exchange information; commitments to provide financial resources and technology to developing countries; a process of submitting and analysing national reports; and effective institutions to ensure implementation of a convention.

B. Attendance

3. The first part of the session was attended by representatives of the following States:

Algeria
Angola
Antigua and Barbuda
Argentina
Australia
Austria
Bahamas
Bangladesh
Barbados
Belarus
Belgium
Belize
Benin
Bhutan
Bolivia
Botswana
Brazil
Brunei Darussalam
Bulgaria
Burkina Faso
Burundi
Cambodia
Cameroon
Canada
Cape Verde
Central African Republic
Chad
Chile
China
Colombia
Comoros
Congo
Cook Islands
Costa Rica
Côte d'Ivoire
Cuba
Cyprus
Czechoslovakia
Democratic People's Republic of Korea
Denmark
Djibouti
Dominican Republic
Ecuador
Egypt
Equatorial Guinea
Ethiopia
Fiji
Finland
France
Gabon
Gambia
Germany
Ghana
Greece
Grenada
Guatemala
Guinea
Guinea-Bissau
Guyana
Haiti
Holy See
Honduras
Hungary
India
Indonesia
Iran (Islamic Republic of)
Iraq
Ireland
Israel
Italy
Jamaica
Japan
Jordan
Kenya
Kiribati
Kuwait
Lao People's Democratic Republic
Lesotho

Liberia
Luxembourg
Madagascar
Malawi
Malaysia
Maldives
Mali
Malta
Marshall Islands
Mauritania
Mexico
Micronesia (Federated States of)
Mongolia
Morocco
Mozambique
Myanmar
Namibia
Nauru
Nepal
Netherlands
New Zealand
Nicaragua
Nigeria
Norway
Pakistan
Panama
Papua New Guinea
Peru
Philippines
Poland
Portugal
Republic of Korea
Romania
Russian Federation
Rwanda
Saint Lucia
Samoa
Sao Tome and Principe
Saudi Arabia
Senegal
Seychelles
Sierra Leone
Singapore
Solomon Islands
Spain
Sri Lanka
Sudan
Suriname
Swaziland
Sweden
Switzerland
Thailand
Togo
Tonga
Trinidad and Tobago
Tunisia
Turkey
Tuvalu
Uganda
Ukraine
United Kingdom of Great Britain and Northern Ireland
United Republic of Tanzania
United States of America
Uruguay
Vanuatu
Venezuela
Viet Nam
Yugoslavia
Zaire
Zambia
Zimbabwe

4. The following United Nations offices and programmes were represented at the first part of the session: Office of the Director-General for Development and International Economic Cooperation; United Nations Environment Programme; United Nations Development Programme; United Nations Centre for Human Settlements; United Nations Conference on Environment and Development.

5. The following specialized agencies and other organizations of the United Nations system were represented at the first part of the session: Food and Agriculture Organization of the United Nations; World Bank; World Meteorological Organization; International Maritime Organization; United Nations Industrial Development Organization.

6. The following intergovernmental organizations were also represented at the first part of the session: Asian-African Legal Consultative Committee; Caribbean Meteorological Organization; European Economic Community; Organization of the Islamic Conference; Organisation for Economic Cooperation and Development; Organization of the Petroleum Exporting Countries; South Pacific Environment Programme.

7. The following non-governmental organizations in consultative status with the Economic and Social Council were represented:

Category II: Greenpeace International; International Council of Scientific Unions; International Petroleum Industry Environmental Conservation Association; World Coal Institute; World Council of Churches; World Resources Institute.

Roster: Friends of Earth-International; International Organization of Motor Vehicle Manufacturers; National Audubon Society; Natural Resources Defense Council; Sierra Club.

8. The following other non-governmental organizations were also represented: Alliance for Responsible CFC Policy; Alliance to Save Energy; American Bar Association; American Gas Association; American Iron & Steel Institute; American Mining Congress; American Petroleum Institute; Association of American Railroads; Australian Conservation Foundation; Canadian Electrical Association; Center for Clean Air Policy; Center for the Environment, Cornell University; Centre for Global Change; Center for International Enviromental Law; Chemical Manufacturers Association; Climate Action Network; Climate Council; Climate Institute; Coal Association of Canada; Earth Regeneration Society; Edison Electric Institute; Electricity Consumers Resource Council; Environmental Defense Fund; Environmental and Energy Study Institute; Federation of Electric Power Companies, Japan; Global Climate Coalition; Global Commons Institute; Global Coral Reef Alliance; Global Security Programme; Harvard Global Environmental Policy Program; National Association of Manufacturers; National Coal Association; National Rural Electric Cooperative Association; Stockholm Environment Institute; Tata Energy Research Institute; Union of Concerned Scientists; U.S. Citizens Network on UNCED; United States Chamber of Commerce; United States Council for International Business; Woods Hole Research Center; World Wide Fund for Nature (WWF) International; World Wild Life Fund.

C. Adoption of the agenda

9. At its 1st plenary meeting, on 18 February 1992, the Committee adopted the following agenda (A/AC.237/16):

1. Organizational matters:

   (a) Adoption of the agenda;

   (b) Organization of work;

(c) Future work:

(i) Calendar;

(ii) Arrangements for adoption of a framework convention;

(iii) Report to UNCED by the Chairman, on behalf of the Committee;

(d) Questions for consideration at the resumed fifth session.

2. Consideration of scientific advice from IPCC.

3. Completion of a framework convention on climate change.

4. Review of extrabudgetary funds:

(a) Special voluntary fund to support the participation of developing countries;

(b) Trust fund for the negotiating process.

5. Adoption of the report.

D. Documentation

10. At the 1st plenary meeting, the documents before the Committee at the start of its fifth session were introduced by the Executive Secretary. They are listed in annex I to the present report.

E. Organization of work

11. After discussion in an informal meeting of plenary on 18 February, the Committee concurred with the following proposals of the Chairman for the organization of work at the first part of the session:

(a) The objective of the session should be to produce a clean text, with only a few brackets indicating major political choices still to be made. Major substantive differences should be reduced to essentials, clearing the way for political intervention.

(b) The two Working Groups should be allowed to continue their work, but with clear directives from Plenary as to their timetables and priorities. The initial choice of topics from the core working document for the Working Groups was as follows:

(i) Working Group I would focus on Commitments (sections IV and V), leaving Preamble, Principles and Objective (sections I and III) until later in the session.

(ii) Working Group II would focus on Institutional Arrangements and Reporting (sections VI and VII.1 of the Consolidated Working Document), leaving until later the legal provisions from section VII.2 onwards, including dispute resolution.

(c) In dealing with specific commitments in relation to finance and technology, Working Group I should limit its consideration to section IV.2.2, paragraph (a) and section IV.2.3, paragraphs (a), (c) and (d). The other paragraphs in these sections, dealing with a funding mechanism and institutional functions, should be taken in hand by Working Group II. These are section IV.2.2, paragraphs (b) and (c) and section IV.2.3, paragraph (b).

(d) Working Group I should draw on the material in section V of the Consolidated Working Document, in formulating general commitments relating to science, research, information and education. Subsequently, Working Group II could review what is left of its original texts in section V. If there remains some useful language relating to mechanisms, Working Group II could consider integrating this language in the appropriate annex or annexes.

(e) While maintaining full control of the process within their Working Groups and ensuring transparency, the Co-Chairmen of both Groups should promote consultations among interested delegations on specific portions of the consolidated text. The purpose of these consultations would be to refine formulations so as to clarify both their meaning and the choices to be made and propose these formulations to the Working Group as a whole.

(f) For its part, the Committee as a whole would need to address the question of the scope of the Convention and determine its overall design.

(g) The Vice-Chairman of Working Group II, Mr. Maciej Sadowski, should conduct informal consultations with legal and scientific experts from delegations on the definitions to be included in the convention. Mr. Sadowski should report back to Working Group II on the outcome of these consultations.

(h) The Vice-Chairman of the Committee who acts as Rapporteur, Mr. Ion Draghici, should conduct informal consultations with legal experts from delegations representing the six linguistic groups to check the conformity of the six language texts of the consolidated working document. Mr. Draghici should report back to Plenary on the outcome of his consultations.

(i) The Committee and the Working Groups should maintain the practice of holding open meetings, unless otherwise decided.

12. At the 2nd and 3rd plenary meetings, on 20 and 24 February, the Committee took note of the progress achieved in the Working Groups as reported by their Co-Chairman. At the 3rd meeting, the Committee requested the Working Groups to complete their work by the end of Thursday afternoon, 27 February.

F. Future work

(i) Calendar

13. At its 3rd plenary meeting, on 24 February, the Committee considered the calendar of its future work. At its fourth plenary meeting, on 28 February, the Committee decided to hold a resumed fifth session [from 30 April to 8 May in New York,] [subject to approval by the competent bodies, of the extension of its duration beyond the five working days.]

(ii) Arrangements for the adoption of a framework convention

14. On the basis of advice from the Office of Legal Affairs, the Chairman advised the Committee that, in adopting a convention, the Committee should follow its rules of procedure on decision-making (see A/AC.237/5). As the Committee was established by the General Assembly, representatives of States participating therein were not required to submit credentials; nor was there a requirement that a convention be placed before or adopted by a conference of plenipotentiaries. Furthermore, it was not normal practice for the General Assembly or a body established by it to adopt a final act at the time of the adoption of a convention. The report of the Committee would contain all the necessary information concerning the adoption of the convention which would normally appear in any final act.

15. The Chairman reminded delegations that full powers would be required to sign the convention when it was opened for signature during UNCED.

(iii) Report to UNCED by the Chairman, on behalf of the Committee

16. In paragraph 18 of its resolution 45/212, the General Assembly requested that the Chairman of INC, on behalf of the Committee, submit a report to UNCED on the outcome of the negotiations, as well as on possible future steps in the field of climate change. The Chairman noted that this matter would be taken up at the resumed fifth session.

G. Questions for consideration at the resumed fifth session

(to be completed)

III. CONSIDERATION OF ADVICE FROM IPCC

17. At its 2nd plenary meeting, on 20 February, the Committee heard a statement from Professor Bert Bolin, Chairman of the Intergovernmental Panel on Climate Change (IPCC) regarding the 1992 IPCC Supplement which had been completed during the 7th plenary session of IPCC, held at Geneva from 10 to 12 February 1992. He noted that the Supplement should be considered against the background of the IPCC First Assessment Report (1990).

18. Professor Bolin stated that the 1992 IPCC findings confirm that (a) the emissions resulting from human activities continue to increase substantially the concentrations of greenhouse gases in the atmosphere, (b) the sensitivity of global mean surface temperature to a doubling of carbon dioxide is unlikely to lie outside the range 1.5 to 4.5 deg. C as given in the 1990 Report and (c) a rate of increase of global mean temperature during the next century of about 0.3 deg. C per decade (with an uncertainty range of 0.2 to 0.5 deg. C per decade) is expected under the 1990 IPCC Scenario A (Business-as-Usual) emissions of greenhouse gases.

19. He noted that two factors that were referred to in the 1990 Report were considered quantitatively in the Supplement: (a) the depletion of ozone in the lower stratosphere due to the presence of CFCs may have approximately offset the radiative forcing contributed by the CFCs, at least in the high and middle latitudes, and (b) cooling due to aerosols formed from anthropogenic sulphur emissions may have offset a significant part (up to about 40 per cent) of the greenhouse warming in the northern hemisphere during the past several decades.

20. Professor Bolin also noted the interdependence of the environmental questions of stratospheric ozone depletion, acidification of precipitation, soils and lakes (caused in part by emissions of sulphur dioxide) and global warming. He suggested that these major environmental issues should be considered simultaneously. He reminded the Committee that the complexity of the climate system is such that surprises cannot be ruled out.

21. With regard to the impacts of climate change, Professor Bolin noted that the assessment continues to be uncertain. The Supplement in general confirms the 1990 IPCC findings regarding impacts.

22. Professor Bolin concluded by saying that the 1992 IPCC Supplement represents a further step towards organizing relevant information on the climate change issue. The aim has been to serve countries in their attempts to address this major global environmental concern and to establish an important and reliable source of information for the ongoing negotiations.

23. He further noted that after the 1992 IPCC Supplement was completed, IPCC expressed its readiness to continue to serve the need for further scientific/technical assessments following agreement on the framework convention. The ongoing discussions within IPCC on a better structure for itself are aimed at strengthening the scientific/technical character of IPCC and give a more balanced national representation in its key functions.

24. Representatives of eight delegations made statements and the Chairman of IPCC replied to questions.

25. The Chairman, on behalf of the Committee, expressed his thanks to Professor Bolin for his informative presentation of the IPCC Supplement, which he remarked had been produced in a short time. He noted that the Supplement should assist Governments in their efforts towards realizing a framework convention.

IV. REVIEW OF EXTRABUDGETARY FUNDS

26. At the 3rd plenary meeting, on 24 February, the Executive Secretary introduced document A/AC.237/17, "Review of extrabudgetary funds".

A. Special Voluntary Fund to support the participation of developing countries

27. The Executive Secretary noted that the usual arrangements had been made for supporting participation of developing countries in the current session, with the help of UNDP and UNCTAD. One hundred and fifteen delegations of developing countries were participating, of which an estimated 87 had been supported by the special voluntary fund.

28. Statements were made by seven delegations and by the representative of the European Economic Community confirming or announcing new pledges to the special voluntary fund, totalling about US$500,000. The Executive Secretary expressed appreciation for these pledges and stated that this sum, once paid, would enable the fund to support the participation of developing countries in the resumed fifth session. He noted that, unless advised to the contrary, that session would be the last meeting for which the fund would be used.

29. Two delegations of developing countries expressed thanks to contributors to the Special Voluntary Fund; one of these delegations urged the Executive Secretary to continue his efforts to support participation by small-island developing countries. The Executive Secretary informed the Committee of the support being given from the Fund and from other sources for participation by such countries.

B. Trust Fund for the negotiating process

30. The Executive Secretary thanked contributors to the Trust Fund. He observed that these supplementary resources would enable the INC secretariat to ensure full servicing of a resumed fifth session in New York and to provide a minimum presence at the United Nations Conference on Environment and Development in Rio de Janeiro.

31. In response to a question, the Executive Secretary confirmed that bilateral funding continued to be provided for staff costs covering three members of the INC secretariat.

* * *

32. The Chairman concluded by thanking all contributors to both funds and expressing satisfaction that foreseeable needs had been met.

V. COMPLETION OF A FRAMEWORK CONVENTION ON CLIMATE CHANGE

A. Report on Working Group I: Commitments

33. At its 1st plenary meeting, on 18 February, the Committee gave Working Group I initial guidance as to its timetables and priorities (see para. 11 above). The Working Group used as a basis for its discussions the Consolidated Working Document annexed to the report of the fourth session of the Committee (A/AC.237/15) and other related documents.

34. The Working Group held 17 meetings and 5 informal meetings, and discussed the following topics: Principles, Objectives and Commitments.

35. The Working Group transmitted to the plenary relevant texts for integration into a "Revised Consolidated Text under Negotiation".

B. Report on Working Group II: Mechanisms

36. At its 1st plenary meeting, on 18 February, the Committee gave Working Group II initial guidance as to its timetables and priorities (see para. 11 above). The Working Group used as a basis for its discussions the Consolidated Working Document annexed to the report of the fourth session of the Committee (A/AC.237/15) and other related documents.

37. The Working Group held 16 meetings and ____ informal meetings and discussed the following topics:

Cooperation on Science, Research, Information and Education; Institutional arrangements; Procedures; Final Clauses.

38. At its 15th meeting, on 27 February, Working Group II heard an oral report by its Vice-Chairman, Mr. Maciej Sadowski, on the results of the informal consultations he held with legal and scientific experts from delegations on the definitions to be included in a convention.

39. The Working Group transmitted to the Plenary relevant texts for integration into a "Revised Consolidated Text under Negotiation".

C. Consideration in Plenary

40. At its 3rd plenary meeting on 24 February, the Committee heard a statement delivered on behalf of the Group of 77 as well as a statement on behalf of a number of non-governmental organizations representing international business.

41. At the 4th plenary meeting, on 28 February, the respective Co-Chairmen of Working Groups I and II presented oral reports to the Committee giving their own impressions on the work accomplished during the session.

42. At the same meeting, the Vice-Chairman of the Committee, who serves as Rapporteur, reported on his informal consultations with delegations representing the six language groups to check the conformity of the six language texts of the consolidated working document.

VI. ADOPTION OF THE REPORT

43. At the 4th plenary meeting on 28 February, the Vice-Chairman, Mr. Ion Draghici, in his capacity as Rapporteur, introduced the draft report (A/AC.237/L.12).

44. The Chairman conducted a reading of the draft report, section by section.

45. The Committee adopted the draft report as amended, authorizing the Rapporteur to reflect therein the proceedings of the Working Groups and of the 4th plenary meeting and to make any necessary editorial changes.

VII. SUSPENSION OF THE SESSION

46. At the end of the 4th plenary meeting, on 28 February, the Chairman declared the first part of the fifth session of the Committee adjourned.

ANNEX I

List of documents before the Committee at its fifth session

	Documents for the session
A/AC.237/15 and Corr.1	Report of the Intergovernmental Negotiating Committee for a Framework Convention on Climate Change on the work of its fourth session, held at Geneva, from 9 to 20 December 1991
A/AC.237/16	Provisional agenda and annotations, including suggestions for the organization of work
A/AC.237/17	Review of extrabudgetary funds
A/AC.237/Misc.1/Add.16	Proposal by the Netherlands: Set of informal papers provided by delegations, including "non-papers", related to the preparation of a framework convention on climate change
A/AC.237/Misc.1/Add.17	Proposal for a set of definitions by Vanuatu on behalf of the States members of the Alliance of Small Island States participating in the session
A/AC.237/Misc.14/Rev.1	Definitions: Note by the secretariat
A/AC.237/Misc.18 and Add.1	Technical review of consolidated working document
A/AC.237/WG.I/L.7 and Corr.1 and 2	Algeria and other States: proposal on the entire section on commitments
A/AC.237/WG.I/L.8	Joint statement of the Group of 77 at the fourth session of the Intergovernmental Negotiating Committee
A/AC.237/WG.I/L.9 and Corr.1	Statement on commitments submitted by the delegation of Vanuatu, on behalf of the States members of the Alliance of Small Island States participating in the fourth session of the Committee
A/AC.237/WG.I/L.10 and Corr.1	Afghanistan and other States: proposed amendments to the text of A/AC.237/WG.I/L.7

INC/FCCC/None No. 37 Symposium on Climate Change and the Future of Small Island States and Low-lying Coastal Developing Countries, held on 14 February 1992 at United Nations Headquarters

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Available for reference purposes

General Assembly resolutions

46/169 Protection of global climate for present and future generations of mankind (19 December 1991)

45/212 Protection of global climate for present and future generations of mankind (21 December 1990)